

REMARKS

Claims 1-2, 4-16, 18-21, 23-31 stand in this application. Claims 1, 5, 11, 14, 15, 18-21, 23-25, 29-31 have been amended. Claims 3, 17, 22, and 32-37 have been canceled without prejudice to the underlying subject matter. Reconsideration and allowance of the standing claims are respectfully requested.

Specification

The Examiner objected the specification because the arrangement of the disclosed application does not conform with 37 CFR §1.77(b). Applicant has amended the Specification as well as the appropriate Section headings consistent with the guidelines provided by the Examiner.

Claim Objections

The Examiner objected to claim 5 under 37 C.F.R. 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 5 has been amended in response to the Examiner's objection.

The Examiner objected to claim 15 based on informalities. Claim 15 has been amended in response to the Examiner's objection. Because claim 15 has been amended, the Examiner's objection to claim 16 is rendered moot.

Applicant respectfully submits that the Examiner's objections have been addressed and the claims are in condition for allowance.

35 U.S.C. §112

Claims 36-37 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner contends that there is insufficient antecedent basis for the “third format” limitation in page 50, line 4. Applicant has amended claim 36 to correct the antecedent basis rejection. Claim 37 is dependent on claim 36. Reconsideration is respectfully requested.

35 U.S.C. §102(e)

Claims 1-4, 6, 21, 22-23, 29, 30, 32, and 34-37 stand rejected under 35 U.S.C. 102(e) as being anticipated by Brody et al (U.S. Patent No. 6,278,691). Applicant respectfully traverses this rejection and requests reconsideration of the pending claims.

The Examiner contends that Brody discloses “a transformer... and a switch to switch the transformed message to a selected processing node” and directs the Applicant to Brody col. 7 lines 59-67 and col 10, lines 27-34 for support thereof.

Claim 1 has been amended to include the additional limitations of originally presented claim 3. However, the Examiner rejected claim 3 in view of Brody as disclosing “a message director coupled to the transformer and switch to make switching decisions...” and directs the applicant to Brody col. 10, lines 26-34 and Fig.9 for support thereof.

Brody at column 10, lines 26-34 arguably discloses a “second message router 356 which receives a second message 368 from the second protocol server, wherein the second message is formatted based on a second communication protocol.” The Brody

citation further states that “[t]he second message router 356 then routes the second message 368 to one of the plurality of interfaces based on the identify [sic] of a targeted communications device contained within the second message or information received from the message interpreter 350.” However, amended claim 1 recites, in pertinent part, that “the message director to make a switching decision for the message based upon application data in the message, and then to output the switching decision to the switch.” Brody may arguably disclose that the second message is routed to one of a plurality of interfaces based on the identity of a targeted communications devices contained within the second message, but does not disclose that a switching decision is made based on application data in the message and certainly does not disclose that the message director “outputs the switching decision to the switch.” In fact, Brody does not even mention the presence of the switching decision and clearly does not disclose that the switching decision itself is outputted at all. Thus, the Applicant respectfully submits that Brody does not disclose “a message director to make a switching decision for the message based upon application data in the message” and certainly does not disclose “outputting the switching decision” made by the message director “to the switch.” Accordingly, the Brody reference fails to disclose each and every element of amended claim 1. For at least the reasons stated above, Applicant respectfully submits that claim 1 is allowable over the cited reference.

The Examiner also rejected claim 2, 4 and 6 as anticipated by Brody. Claims 2, 4 and 6 depend either directly or indirectly from claim 1. In view of the amendments to claim 1 and the arguments presented above, Applicant submits that these rejections are respectfully traversed.

Claim 21 stands rejected as anticipated by Brody. The Examiner contends that Brody discloses “receiving a message, determining if a transformation should be performed on the message” and directs the Applicant to Brody column 7, lines 59-67. The Examiner further contends that Brody discloses “identifying a transform template to be used to transform the message and transforming the message …” and directs the Applicant to Brody column 12 lines 22-52. Finally, the Examiner contends that Brody discloses “switching the message to a selected server or processing node” and directs the Applicant to Brody column 10, lines 27-34.

Claim 21 has been amended to include the additional limitations of originally presented claim 22. However, the Examiner rejected claim 22 as anticipated by Brody. The Examiner states that Brody discloses “that identifying a transform is based upon a first portion of the message” and directs the Applicant to Brody column 12, lines 30-40; “while the switching is based upon the second portion of the message” and directs the Applicant to Brody column 10, lines 27-34.

However, the portion of Brody relied upon by the Examiner as disclosing that the “switching is based upon the second portion of the message” only discloses that “the second message router 356 receives a second message 368 from the second protocol server, wherein the second message is formatted based on a second communication protocol.” Brody does not disclose that the “switching is based upon second portion of the message” as recited by amended claim 21. The second message of Brody is the message that is converted from the generic message at 369, not the second portion of the message as claimed in the present invention. Thus, the Applicant respectfully submits that Brody certainly does not disclose that “the switching is based upon a second portion

of the message.” Accordingly, the Brody reference fails to disclose each and every element of amended claim 21. For at least the reasons stated above, Applicant respectfully submits that claim 21 is allowable over the cited reference.

The Examiner also rejected claim 23 and 24 as anticipated by Brody. However, in view of the amendments to independent claim 21 from which claims 23 and 24 depend and the arguments presented above, Applicant submits that these rejections are respectfully traversed.

Claim 29 stands rejected as anticipated by Brody. Claim 29 was amended herein. The Examiner rejects claim 29 on the same rational as claim 21 and contends that “claim 29 is the apparatus of the method in claim 21 and in addition includes means having instructions thereon...which can be implemented by any device that processes digital information in response of operational instructions.” However, as stated above with reference to claim 21, Brody does not disclose “switching the message to a selected server or processing node based on a second portion of said message” as recited by amended claim 29. The second message of Brody is the message that is converted from the generic message at 369, not the second portion of the message as claimed in the present invention. Thus, the Applicant respectfully submits that Brody certainly does not disclose “switching the message to a selected server or processing node based on a second portion of said message.” Accordingly, the Brody reference fails to disclose each and every element of amended claim 29. For at least the reasons stated above, Applicant respectfully submits that claim 29 is allowable over the cited reference.

Claim 30 stands rejected as anticipated by Brody. Claim 30 has been amended to include the additional limitations of originally presented claim 31. However, the

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Examiner rejected claim 31 under 35 USC §103(a) as unpatentable over Brody in view of Gillis et al. (U.S. Patent No. 6,286,035). The Examiner admits that Brody fails to disclose a validator to validate messages, but relies on Gillis (in the abstract) for this deficiency. In particular, the Examiner contends that Gillis discloses “validating a command message produced by a network element.” However, Gillis arguably discloses “validating a command message produced by a network element in a network utilizes table-drive approach,” but does not disclose a validator to validate a message based on required elements” as recited in amended claim 30. Thus, the Applicant respectfully submits that Brody and Gillis fail to disclose each and every element of amended claim 30. For at least the reasons stated above, Applicant respectfully submits that claim 20 is allowable over the cited references. Claim 31 depends from claim 30. In view of the amendments to claim 30, Applicant submits that the rejection under 35 USC §103(a) is likewise respectfully traversed.

35 U.S.C. §103(a)

Claims 7-8 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Brody in view of Jamtgaard et al (U.S. Patent No. 6,430,624). The Examiner states that Brody complies with all the limitations in claim 1, but fails to disclose transforming the message from a first XML format to a second XML format. In view of Applicant’s amendments and arguments related to claim 1 recited above from which claims 7-8 depend, Applicant respectfully submits that the rejection of claims 7-8 is traversed.

Claim 9 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Brody in view of Krishna (U.S. Patent No. 6,477,646). The Examiner states that Brody

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complies with all the limitations in claim 1, but fails to disclose security accelerator to encrypt and/or decrypt messages. In view of Applicant's amendments and arguments related to claim 1 recited above from which claim 9 depends, Applicant respectfully submits that the rejection of claim 9 is traversed.

Claim 10 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Brody in view of Voshmgir. The Examiner states that Brody complies with all the limitations in claim 1, but fails to disclose a validator to validate messages based on one or more validation templates. In view of Applicant's amendments and arguments related to claim 1 recited above from which claim 10 depends, Applicant respectfully submits that the rejection of claim 10 is traversed.

Claim 11 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Brody in view of Voshmgir. The Examiner contends that Brody discloses the limitations of claim 11, but "fails to disclose a validator to validate messages based on one or more validation templates." The Examiner relies on Voshmgir at p. 20 as teaching validating XML to conform the syntax and a DTD and a parser as a validity checker. However, Claim 11 has been amended to include the additional limitations of original claim 17. In particular, amended claim 11 recites, in pertinent part, "a transformer coupled to the validator to transform the message from a first format to a second format based on a first portion of the message that matches a first predetermined pattern or value; and a switch coupled to the transformer to switch or output the transformed message to a selected processing node or server based on a second portion of the message that matches a second predetermined pattern or value."

With respect to claim 17, the Examiner contends that Brody discloses transforming the message based on a first portion of the message that matches a first predetermined pattern or value” and points to Brody column 12, lines 21-43. However, the portion of Brody relied upon by the Examiner as disclosing that the “switching is based upon the second portion of the message” only discloses that “the second message router 356 receives a second message 368 from the second protocol server, wherein the second message is formatted based on a second communication protocol.”

The Examiner further contends that “the above combination fails to disclose that switching the message is based on a second portion of the message that matches a second predetermined pattern or value” and directs the Applicant to Pedersen et al. (U.K. Patent Application, GB 2348083) at p. 9 lines 21-26 for this deficiency. Pedersen arguably discloses a “browser application 70 identifies the content type of the received content and accesses routing table 72.” However, Pedersen does not teach or suggest “outputting a transformed message...based on a second portion of the message that matches a second predetermined pattern or value.” Rather, Pedersen refers to a “content type” of the received content.

Moreover, the Office Action has failed to disclose some suggestion or motivation to combine Brody, and Voshmgir and Pedersen. According to the Examiner, it would have obvious to combine Brody, Voshmgir and Pedersen in order “to route content depending on the content type that an application can use.” This motivation, however, may generally apply to any communication routing system, therefore suggesting or motivating every combination of any number of references. Neither Brody, nor

Vashmgir nor Pedersen provides a suggestion or motivation to combine their systems in an attempt to arrive at the claimed subject matter.

Accordingly, the Applicant respectfully submits that Brody, Voshmgir and Pedersen fail to disclose each and every element of amended claim 11 nor does the Examiner offer a motivation to combine the references to arrive at the claimed invention. Thus, for at least the reasons stated above, Applicant respectfully submits that claim 11 is allowable over the cited references.

The Examiner also rejected claims 12–16 and claims 18-20. However, in view of the amendments and remarks associated with independent claim 11 from which these claims depend either directly or indirectly, Applicant submits that these rejections are likewise respectfully traversed.

Claim 25 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Brody in view of Levac et al. (U.S. Patent No. 6,034,970). The Examiner contends that Brody discloses the limitations of claim 25, but “fails to disclose a identifying a transform template to be used to transform the message-based information that describes the content of the message” and directs the Applicant to Levac at column 6, lines 47-55 for this deficiency. However, claim 25 was amended to include “switching the message to a selected server or processing node based upon a portion of the message.” Neither Brody nor Levac teach or suggest that the switching is based upon a portion of the message. Accordingly, the Applicant respectfully submits that Brody in view of Levac fail to disclose each and every element of amended claim 25. Thus, for at least the reasons stated above, Applicant respectfully submits that claim 25 is allowable over the cited references.

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The Examiner also rejected claim 26-28 which depend either directly or indirectly from amended claim 25. However, in view of the amendments and remarks associated with independent claim 25, it is respectfully requested that these rejections are likewise traversed.

Applicant respectfully submits that in light of the foregoing amendments and remarks, all of the presently pending claims are in condition for allowance. Entry of the present amendment and/or allowance of the presently pending claims are, therefore, respectfully requested.

The Examiner is invited to contact the undersigned at 724-933-3387 to discuss any matter concerning this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 02-2666.

Respectfully submitted,

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Under 37 CFR 1.34(a)

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Deborah Higham

9-14-04
Date

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